

WEDNESDAY, MARCH 7, 1990

SEVENTY-FOURTH LEGISLATIVE DAY

The House met at 2:00 p.m. and was called to order by Mr. Speaker Murray.

The proceedings were opened with prayer by Rev. Malcomb Patton, Smyrna First United Methodist Church, Smyrna, Tennessee.

Representative Fred Hobbs led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present . . . . . 98

Representatives present were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 98.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under Rule No. 20:

The Speaker announced that Representative Robinson (Washington) was excused to take care of business at home.

REPORTS FROM STANDING COMMITTEES

REPORT OF COMMITTEE ON CALENDAR AND RULES  
March 6, 1990

MR. SPEAKER: Your Calendar and Rules Committee begs leave to report that we have met and set the following bills on the Regular

Calendar for Wednesday, March 7, 1990: House Bill(s) No(s). 2221, 2223, 1562, 2321, 2322, 1195, 2452, 1999, 2196, 1988, 1984, 2337, 2400, 1750, 2568, 2558, 1604 and 2050.

We have also set the following bills on the Regular Calendar for Thursday, March 8, 1990: House Bill(s) No(s). 1847, 1607, 1611, 1620, 1624, 1625, 1663 and 2515.

We further report that we have met and set the following bill(s) and/or resolution(s) on the Consent Calendar for Monday, March 12, 1990: House Bill(s) No(s). 2451, 1605, 1606, 1610, 1612, 1613, 1859 and 1497; House Joint Resolution(s) No(s). 549; House Bill(s) No(s). 2429; also, House Joint Resolution(s) No(s). 527.

The Committee reconsidered its earlier action in sending House Bill No. 2515 to Finance, Ways and Means Committee; recalled it from Finance, Ways and Means Committee; and placed it on the floor calendar for Thursday, March 8, 1990.

PHILLIPS, Chairman.

#### AGRICULTURE COMMITTEE

March 6, 1990

MR. SPEAKER: Your Agriculture Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 2274 (with amendment) and 2587 (with amendment).

We further recommend that, pursuant to Rule No. 72, House Bill(s) No(s). 2397 (with amendments) be referred to the Finance, Ways and Means Committee.

STALLINGS, Chairman.

Under the rules, House Bill(s) No(s). 2274 (with amendment) and 2587 (with amendment); was/were transmitted to the Calendar and Rules Committee.

Pursuant to Rule No. 72, the Speaker referred House Bill(s) No(s). 2397 (with amendments) to the Finance, Ways and Means Committee.

#### COMMERCE COMMITTEE

March 6, 1990

MR. SPEAKER: Your Commerce Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 1585 (with amendment); 1764, 1842, 1852, 2155, 2309, 2323, 2547 (with amendment) and 2566 (with amendment).

We further recommend that, pursuant to Rule No. 72, House Bill(s) No(s). 1942 and 1850 (with amendment) be referred to the

Finance, Ways and Means Committee.

RHINEHART, Chairman.

Under the rules, House Bill(s) No(s). 1585 (with amendment), 1764, 1842, 1852, 2155, 2309, 2323, 2547 (with amendment) and 2566 (with amendment) was/were transmitted to the Calendar and Rules Committee.

Pursuant to Rule No. 72, the Speaker referred House Bill(s) No(s). 1942 and 1850 (with amendment) to the Finance, Ways and Means Committee.

#### EDUCATION COMMITTEE

March 6, 1990

MR. SPEAKER: Your Education Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 1808, 1848, 2041, 2117, 2142, 2326, 2557 (with amendment); for adoption: House Joint Resolution(s) No(s). 625.

We further recommend that, pursuant to Rule No. 72, House Bill(s) No(s). 1824 and 1884 be referred to the Finance, Ways and Means Committee.

DAVIDSON, Chairman.

Under the rules, House Bill(s) No(s). 1808, 1848, 2041, 2117, 2142, 2326, 2557 (with amendment); also, House Joint Resolution(s) No(s). 625 was/were transmitted to the Calendar and Rules Committee.

Pursuant to Rule No. 72 the Speaker referred House Bill(s) No(s). 1824 and 1884 to the Finance, Ways and Means Committee.

#### FINANCE, WAYS AND MEANS COMMITTEE

March 6, 1990

MR. SPEAKER: Your Finance, Ways and Means Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 48 (with amendment), 74 (with amendment), 1587 (with amendment), 1592, 1827 (with amendment), 1835, 1912, 2101, 2218 and 2347; for adoption: House Joint Resolution(s) No(s). 329.

BRAGG, Chairman.

Under the rules, House Bill(s) No(s). 48 (with amendment), 74 (with amendment), 1587 (with amendment), 1592, 1827 (with amendment), 1835, 1912, 2101, 2218 and 2347; also, House Joint Resolution(s) No(s). 329 was/were transmitted to the Calendar and Rules Committee.

GOVERNMENT OPERATIONS COMMITTEE

March 6, 1990

MR. SPEAKER: Your Government Operations Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 1623 (with amendment), 2043 (with amendment), 2046 and 2047.

KING, Chairman.

Under the rules, House Bill(s) No(s). 1623 (with amendment), 2043 (with amendment), 2046 and 2047 was/were transmitted to the Calendar and Rules Committee.

JUDICIARY COMMITTEE

March 6, 1990

MR. SPEAKER: Your Judiciary Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 1602, 2115, 2177 (with amendment), 2243 (with amendment), 2317, 2338, 2345 (with amendment), 2349, 2435 (with amendment) and 2440 (with amendment).

We further recommend that, pursuant to Rule No. 72, House Bill(s) No(s). 1768, 1887, 2037 (with amendment) and 2530 (with amendment) be referred to the Finance, Ways and Means Committee.

We further report that the following was/were considered but failed to pass: House Bill(s) No(s). 2312.

BUCK, Chairman.

Under the rules, House Bill(s) No(s). 1602, 2115, 2177 (with amendment), 2243 (with amendment), 2317, 2338, 2345 (with amendment), 2349, 2435 (with amendment) and 2440 (with amendment); was/were transmitted to the Calendar and Rules Committee.

Pursuant to Rule No. 72, the Speaker referred House Bill(s) No(s). 1768, 1887, 2037 (with amendment) and 2530 (with amendment) to the Finance, Ways and Means Committee.

STATE AND LOCAL GOVERNMENT COMMITTEE

March 6, 1990

MR. SPEAKER: Your State and Local Government Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 1433 (with amendment), 1693, 1760, 1838, 1839 (with amendment), 2080 (with amendment), 2110, 2199, 2207, 2359 (with amendment), 2370 (with amendment), 2442 (with amendment); for adoption: House Joint Resolution(s) No(s). 537.

We further recommend that, pursuant to Rule No. 72, House Bill(s) No(s). 590 (with amendment) and 2108 (with amendment) be

referred to the Finance, Ways and Means Committee.

LOVE, Chairman.

Under the rules, House Bill(s) No(s). 1433 (with amendment), 1693, 1760, 1838, 1839 (with amendment), 2080 (with amendment), 2110, 2199, 2207, 2359 (with amendment), 2370 (with amendment) and 2442 (with amendment); also, House Joint Resolution(s) No(s). 537; was/were transmitted to the Calendar and Rules Committee.

Pursuant to Rule No. 72, the Speaker referred House Bill(s) No(s). 590 (with amendment) and 2108 (with amendment) to the Finance, Ways and Means Committee.

#### TRANSPORTATION COMMITTEE

March 6, 1990

MR. SPEAKER: Your Transportation Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 2192 (with amendment), 2253 and 2327 (with amendment); for adoption: House Joint Resolution(s) No(s). 511.

We further recommend that, pursuant to Rule No. 72, House Bill(s) No(s). 1720 (with amendment), 2226 (with amendment), 2362 and 2409 (with amendment) be referred to the Finance, Ways and Means Committee.

ROBB ROBINSON, Chairman.

Under the rules, House Bill(s) No(s). 2192 (with amendment), 2253 and 2327 (with amendment); also, House Joint Resolution(s) No(s). 511; was/were transmitted to the Calendar and Rules Committee.

Pursuant to Rule No. 72, the Speaker referred House Bill(s) No(s). 1720 (with amendment), 2226 (with amendment), 2362 and 2409 (with amendment) to the Finance, Ways and Means Committee.

#### MESSAGE FROM THE SENATE

March 6, 1990

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 957, 1651, 1801, 1927, 1949, 1956, 2031, 2073, 2104, 2109, 2112, 2115, 2234, 2353, 2368, 2428, 2445 and 2494; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

Senate Bill No. 0957 -- Real Property -- Enacts Uniform Conservation Easement Law. Amends TCA, Title 66, Ch. 9.

\*Senate Bill No. 1651 -- Courts, Juvenile -- Authorizes juvenile

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court to appoint special advocate for children before the court. Amends TCA 37-1-149.

**Senate Bill No. 1801 -- Criminal Offenses --** Revises provisions relative to unlawful disposal of rental property. Amends TCA 39-14-108.

**\*Senate Bill No. 1927 -- District Attorneys --** Removes certain personnel and support limitation from the district attorney general of 31st judicial district.

**\*Senate Bill No. 1949 -- Witnesses --** Revises rate of witness compensation. Amends TCA 24-4-101.

**\*Senate Bill No. 1956 -- Handicapped Persons --** Exempts blind vendors from food service permit fee. Amends TCA 68-14-313.

**\*Senate Bill No. 2031 -- Housing --** Creates division of housing and emergency shelter.

**\*Senate Bill No. 2073 -- Tennessee Higher Education Commission --** Requires at least one member of higher education commission be member of principal racial minority in the state. Amends TCA, Titles 49, 67.

**Senate Bill No. 2104 -- Highway Signs --** Provides for signs indicating Cookeville exits.

**Senate Bill No. 2109 -- Education --** Permits criteria to withhold student records until certain debts are paid. Amends TCA 49-1-302.

**Senate Bill No. 2112 -- Highways, Roads and Bridges --** Deletes provision exempting certain counties from qualifications of chief administrative officer. Amends TCA 54-7-104.

**\*Senate Bill No. 2115 -- Motor Vehicles --** Regulates turn lanes. Amends TCA, Title 55, Ch. 8, Pt. 1.

**\*Senate Bill No. 2234 -- Podiatrists --** Increases requirements for licensing of podiatrists; imposes examination fee. Amends TCA 63-3-109, 111.

**\*Senate Bill No. 2353 -- Social Workers --** Establishes continuing education requirements for master social workers and independent social work practitioners; modifies certain duties of confidentiality. Amends TCA, Title 63, Ch. 23, Pt. 1.

**\*Senate Bill No. 2368 -- Criminal Offenses --** Makes it unlawful for person to fail to appear as directed by lawful authority under certain circumstances. Amends TCA 39-16-609.

**\*Senate Bill No. 2428 -- District Attorneys --** Authorizes compensation of criminal investigator as assistant district attorney

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general under certain circumstances. Amends TCA, Title 8, Ch. 7, Pt. 2.

**Senate Bill No. 2445 -- Marriage --** Requires applicant for license under 18 to state if similar application made to another county clerk or deputy. Amends TCA, Title 36, Ch. 3, Pt. 1.

**Senate Bill No. 2494 -- Tort Liability --** Imposes civil and criminal sanctions for theft of certain utility service.

**MESSAGE FROM THE SENATE  
March 6, 1990**

**MR. SPEAKER:** I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 466, 471 and 506; adopted for concurrence.

**CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.**

**\*Senate Joint Resolution No. 0466 --** Memorials, Congress -- Urges granting of relief to school systems from testing requirements in Commercial Driver's License Act of 1986.

**\*Senate Joint Resolution No. 0471 --** General Assembly, Studies -- Establishes special select committee to study integrated computer system for courts.

**Senate Joint Resolution No. 0506 --** Memorials, Sports -- Congratulates Soddy-Daisy High School wrestlers, second place winners in State Wrestling Tournament.

**REPORT OF CHIEF ENGROSSING CLERK  
March 6, 1990**

**MR SPEAKER:** Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bill(s) No(s). 470, 800, 1799, 1936, 2590 and 2592; and House Joint Resolution(s) No(s). 554, 562, 630, 631, 632, 634, 635, 636, 637, 639, 640, 641, 644, 646 and 647; for his action.

**BETTY KAY FRANCIS,  
Chief Engrossing Clerk.**

**SIGNED  
March 6, 1990**

The Speaker announced that he had signed the following: Senate Bill(s) No(s). 255, 959, 1575, 1672 and 2127; also, Senate Joint Resolution(s) No(s). 487 and 509.

**ENROLLED BILLS**

**March 6, 1990**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill(s) No(s). 1849, 1919, 1922 and 2104; House Resolution(s) No(s). 94, 112, 113, 114, 115, 116 and 117; also, House Joint Resolution(s) No(s). 649 and 650; and find same correctly enrolled and ready for the signature(s) of the Speaker(s).

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

**SIGNED**

**March 6, 1990**

The Speaker announced that he had signed the following: House Bill(s) No(s). 1849, 1919, 1922 and 2104; House Joint Resolution(s) No(s). 649 and 650; also, House Resolution(s) No(s). 94, 112, 113, 114, 115, 116 and 117.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

**REPORT OF COMMITTEE ON CALENDAR AND RULES**

**March 7, 1990**

MR. SPEAKER: Your Calendar and Rules Committee begs leave to report that we have met and set the following bills on the Regular Calendar for Thursday, March 8, 1990: House Bill(s) No(s). 2512, 1559, 2434, 2217, 2125, 1617, 1687, 1670, 1672, 1675, 1678, 1689, 1690, 1691 and 1700.

We have also set the following bills on the Regular Calendar for Monday, March 12, 1990: House Bill(s) No(s). 1994, 2251 and 2551; House Joint Resolution(s) No(s). 620; also, House Bill(s) 1971, 2247 and 2106.

We further report that we have met and set the following bill(s) and/or resolution(s) on the Consent Calendar for Monday, March 12, 1990: House Bill(s) No(s). 1614, 1616, 2346, 2513 and 1890.

We further report that the following was/were referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 1972.

PHILLIPS, Chairman.

**CONSERVATION AND ENVIRONMENT COMMITTEE**

**March 7, 1990**

MR. SPEAKER: Your Conservation and Environment Committee begs leave to report that we have carefully considered and recommend for



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passage: House Bill(s) No(s). 1985, 2060 and 2503 (with amendment); for adoption: House Joint Resolution(s) No(s). 568 and 648.

We further recommend that, pursuant to Rule No. 72, House Bill(s) No(s). 1655 (with amendment), 2250 (with amendment) and 2461; be referred to the Finance, Ways and Means Committee.

HILLIS, Chairman.

Under the rules, House Bill(s) No(s). 1985, 2060 and 2503 (with amendment); also, House Joint Resolution(s) No(s). 568 and 648 was/were transmitted to the Calendar and Rules Committee.

Pursuant to Rule No. 72, the Speaker referred House Bill(s) No(s). 1655 (with amendment), 2250 (with amendment) and 2461 to the Finance, Ways and Means Committee.

**GENERAL WELFARE COMMITTEE**  
March 7, 1990

MR. SPEAKER: Your General Welfare Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 1603 (with amendment), 1656 (with amendment), 2135, 2263 (with amendment), 2330 and 2376 (with amendment).

We further recommend that, pursuant to Rule No. 72, House Bill(s) No(s). 2033 be referred to the Finance, Ways and Means Committee.

STARNES, Chairman.

Under the rules, House Bill(s) No(s). 1603 (with amendment), 1656 (with amendment), 2135, 2263 (with amendment), 2330 and 2376 (with amendment) was/were transmitted to the Calendar and Rules Committee.

Pursuant to Rule No. 72, the Speaker referred House Bill(s) No(s). 2033 to the Finance, Ways and Means Committee.

**LABOR AND CONSUMER AFFAIRS COMMITTEE**  
March 7, 1990

MR. SPEAKER: Your Labor and Consumer Affairs Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 46, 1836, 2006, 2516 and 2519 (with amendment).

We further recommend that, pursuant to Rule No. 72, House Bill(s) No(s). 2007 (with amendment) be referred to the Finance, Ways and Means Committee.

CHRIS TURNER, Chairman.

Under the rules, House Bill(s) No(s). 46, 1836, 2006, 2516 and 2519 (with amendment) was/were transmitted to the Calendar and Rules Committee.

Pursuant to Rule No. 72, the Speaker referred House Bill(s) No(s). 2007 (with amendment) to the Finance, Ways and Means Committee.

### REGULAR CALENDAR

House Joint Resolution No. 0615 -- Naming and Designating -- Designates March 1, 1990 as Role Reversal Day in the General Assembly.

Further consideration of House Joint Resolution No. 615, previously considered on February 28, 1990, at which time the bill was reset to the calendar for March 7, 1990.

On motion of Rep. Dixon, House Joint Resolution No. 615 was withdrawn from the House.

House Bill No. 1746 -- Criminal Offenses -- Bans paramilitary training under certain circumstances. Amends TCA, Title 39, Ch. 17, Pt. 3.

Further consideration of House Bill No. 1746, previously considered on February 28, 1990, at which time the bill was reset to the calendar for March 7, 1990.

Rep. DePriest moved that House Bill No. 1746 be reset one week to the Calendar for Wednesday, March 14, 1990, which motion prevailed.

House Bill No. 2310 -- Drugs -- Regulates and controls distribution, sale and use of anabolic steroids. Amends TCA, Title 39, Ch. 6, Pt. 4.

Further consideration of House Bill No. 2310, previously considered on March 5, 1990, at which time the House adopted Amendments Nos. 1 and 2, then reset the bill to the calendar for March 7, 1990.

Thereupon, Rep. Herron moved that House Bill No. 2310, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . .	97
Noes . . . . .	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain,

Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

**\*Senate Bill No. 1735 -- Alcoholic Beverages --** Requires disclosure of leases, contracts and consulting compensation on retail licenses for alcoholic beverages. Amends TCA 57-3-204.

Further consideration of Senate Bill No. 1735, previously considered on March 5, 1990, at which time Senate Bill No. 1735 was substituted for House Bill No. 2074, and reset to the calendar for March 7, 1990.

Rep. Dixon moved that Senate Bill No. 1735 be passed on third and final consideration.

Rep. Armstrong moved to amend as follows:

**Amendment No. 1**

Amend Senate Bill No. 1735 by deleting Section 1 of the bill in its entirety and inserting in lieu thereof the following:

SECTION 1. Tennessee Code Annotated, Section 57-3-204 is amended by inserting the following new subsection after existing subsection (b) and redesignating the remaining subsections accordingly:

(c) A retailers license under this section shall not be issued if the commission determines that any payments made or proposed to be made to any landlord, consultant, independent contractor, employee or agent is not reasonable or is paid in such a manner and amount so as to indicate a division of profits to such person. In aid of its responsibilities under this section, the commission is authorized to require any applicant to certify the reasonableness of payments it makes to any such landlord, consultant, independent contractor, employee or agent and may require the disclosure of all payments made during a previous year or years to such persons by any licensee seeking renewal of a license.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Dixon moved that Senate Bill No. 1735, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	64
Noes. . . . .	28
Present and not voting. . . . .	2

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bragg, Buck, Burnett, Cain, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Gaia, Halteman, Head, Henry (Putnam), Herron, Hillis, Holcomb, Holt, Hubbard, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, Moody, Moore (Lawrence), Naifeh, Napier, Odom, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shirley, Stallings, Starnes, Turner (Hamilton), Ussery, West, Wheeler, Williams, Winningham, Wix, Yelton, Mr. Speaker Murray -- 64.

Representatives voting no were: Bittle, Bivens, Burchfield, Byrd, Callicott, Chiles, Cole, Davis (Cocke), Duer, Garrett, Givens, Good, Gunnels, Harrill, Hassell, Haun, Henry (Roane), Hobbs, Huskey, Moore (Shelby), Niceley, Nuber, Peroulas, Severance, Stamps, Webb, Wolfe, Wood -- 28.

Representatives present and not voting were: Turner, C. (Shelby), Turner, L. (Shelby) -- 2.

A motion to reconsider was tabled.

#### REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from no to aye on Senate Bill No. 1735 and have this statement entered in the Journal.

Rep. Fred Hobbs

#### REGULAR CALENDAR, CONTINUED

House Bill No. 2205 -- Private Protective Services -- Exempts unarmed private protective service personnel from Private Protective Services Licensing and Regulatory Act under certain conditions. Amends TCA 62-35-103.

Further consideration of House Bill No. 2205, previously considered on March 5, 1990, at which time the bill was reset to the calendar for March 7, 1990.

On motion, House Bill No. 2205 was made to conform with Senate Bill No. 2218.

On motion, Senate Bill No. 2218, on same subject, was substituted for House Bill No. 2205.

Rep. West moved that Senate Bill No. 2218 be passed on third and final consideration.

Rep. Rhinehart moved adoption of Commerce Committee Amendment No. 1 as follows:

**Amendment No. 1**

Amend Senate Bill No. 2218 by deleting the amendatory language of Section 1 in its entirety and substituting instead the following new amendatory language:

( ) A private business employee serving as an unarmed uniformed or non-uniformed guard, unarmed fire watchman or gatekeeper, or other unarmed security personnel in connection with such business.

On motion, Amendment No. 1 was adopted.

Rep. Rhinehart moved adoption of Commerce Committee Amendment No. 2 as follows:

**Amendment No. 2**

Amend Senate Bill No. 2218 by deleting SECTION 1, as amended, in its entirety and substituting the following:

SECTION 1. Tennessee Code Annotated, Section 62-35-103, is amended by deleting subdivision (12) in its entirety.

Tennessee Code Annotated, Section 62-35-103, is further amended by designating the existing language, as amended, as subsection (a) and by adding the following new subsection:

(b) The provisions of Tennessee Code Annotated, Section 62-35-118(a), only, shall not apply to a person employed as an unarmed security guard/officer by a proprietary security organization.

Rep. Kisber moved to amend Amendment No. 2 as follows:

**Amendment No. 1 to Amendment No. 2**

Amend Senate Bill No. 2218 by adding to the amendatory language of subsection (b) of Section 1, which adds a new

subsection to Tennessee Code Annotated, Section 62-35-103, the following new amendatory language:

For the purposes of this subsection, an unarmed security guard/officer shall not carry a weapon of any kind.

It is the desire of the legislature that unarmed proprietary security guards/officers whose primary duties involve contact with the public should have training in the areas of legal powers and limitations and of emergency procedures as deemed necessary by their employers. The commissioner may provide such employers information concerning these areas.

On motion, Amendment No. 1 to Amendment No. 2 was adopted.

Thereupon, Rep. Kisber moved that Amendment No. 2, as amended, be adopted, which motion prevailed.

Thereupon, Rep. West moved that **Senate Bill No. 2218**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	87
Noes. . . . .	5

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Garrett, Good, Gunnels, Halteman, Harrill, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Hubbard, Huskey, Jones, R. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Sipes, Stallings, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 87.

Representatives voting no were: Givens, Hassell, Haun, Niceley, Shirley -- 5.

A motion to reconsider was tabled.

#### REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from not voting to aye on Senate Bill No. 2218 and have this statement entered in the Journal.

Rep. Harold Holt

REGULAR CALENDAR, CONTINUED

House Bill No. 1970 -- Planning, Public -- Creates central business improvement districts for certain purposes. Amends TCA, Title 7, Ch. 84.

Further consideration of House Bill No. 1970, previously considered on March 5, 1990, at which time the bill was reset to the calendar for March 7, 1990.

On motion, House Bill No. 1970 was made to conform with Senate Bill No. 2039.

On motion, Senate Bill No. 2039, on same subject, was substituted for House Bill No. 1970.

Rep. Davis (Knox) moved that Senate Bill No. 2039 be passed on third and final consideration.

On motion, Rep. Love withdrew State and Local Government Committee Amendment No. 1.

Rep. McAfee moved to amend as follows:

Amendment No. 1

Amend Senate Bill No. 2039 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section \_\_\_\_\_. The provisions of this act shall not apply in any county having a population of not less than 287,700 nor more than 287,800 according to the 1980 federal census or any subsequent federal census.

On motion, Amendment No. 1 was adopted.

Rep. Davis (Knox) moved that Senate Bill No. 2039 be passed on third and final consideration.

Rep. Moody moved to amend as follows:

Amendment No. 2

Amend Senate Bill No. 2039 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section \_\_\_\_\_. The provisions of this act shall not apply in any county having a population of not less than 49,275 nor more than 49,375 according to the 1980 federal census or any subsequent federal census.

On motion, Amendment No. 2 was adopted.

Thereupon, Rep. Davis (Knox) moved that Senate Bill No. 2039, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	94
Noes. . . . .	0
Present and not voting. . . . .	1

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Kent, Kernell, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Mr. Speaker Murray -- 94.

Representatives present and not voting were: Yelton -- 1.

A motion to reconsider was tabled.

House Bill No. 2221 -- Driver Licenses -- Requires certification of payment of all fines and court costs under certain circumstances before reinstatement of driver license. Amends TCA 55-50-303.

On motion, House Bill No. 2221 was made to conform with Senate Bill No. 2339.

On motion, Senate Bill No. 2339, on same subject, was substituted for House Bill No. 2221.

Rep. Naifeh moved that Senate Bill No. 2339 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	95
Noes. . . . .	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey,



Jackson, Jones, R. (Shelby), Kent, Kernell, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

A motion to reconsider was tabled.

**House Bill No. 2223** -- Highways, Roads and Bridges -- Enacts "1990 Bridge Grant Program Act". Amends TCA, Title 54, Ch. 4.

Rep. Naifeh moved that House Bill No. 2223 be passed on third and final consideration.

Rep. Burnett moved the previous question, which motion prevailed.

Thereupon, Rep. Naifeh moved that House Bill No. 2223 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	96
Noes. . . . .	0
Present and not voting. . . . .	1

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

Representatives present and not voting were: Moore (Shelby) -- 1.

A motion to reconsider was tabled.

**House Bill No. 1562** -- Statutes -- Codifies Public Acts of 1989.

On motion, House Bill No. 1562 was made to conform with Senate Bill No. 1585.

On motion, Senate Bill No. 1585, on same subject, was substituted for House Bill No. 1562.

Rep. Naifeh moved that Senate Bill No. 1585 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	94
Noes. . . . .	4

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 94.

Representatives voting no were: Copeland, Good, Niceley, Severance -- 4.

A motion to reconsider was tabled.

House Bill No. 1584 -- Inheritance Laws -- Revises law on distribution of estate of intestate child. Amends TCA 31-2-104.

Further consideration of House Bill No. 1584, previously considered on February 14, 1990, at which time the bill was reset to the calendar for March 7, 1990.

Rep. Bivens moved that House Bill No. 1584 be passed on third and final consideration.

Rep. Bivens moved to amend as follows:

Amendment No. 1

AMEND House Bill No. 1584 by deleting the amendatory language of Section 1 in its entirety and by substituting instead the following:

(B) Notwithstanding the provisions of subdivision (b)(2)(A), in the event a parent, otherwise entitled to inherit from a predeceased minor child is or has been under a valid court order to provide support for that child and the parent willfully failed to provide support, in

accordance with such court order, for a continuous period of one (1) year or more immediately prior to the death of such child, then such parent shall be disqualified to inherit from the predeceased child. The share of any parent disqualified pursuant to this subdivision shall pass to the other parent if such other parent is not also disqualified pursuant to this subdivision or other provision of law.

AND FURTHER AMEND by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section \_\_\_\_ Tennessee Code Annotated, Section 31-2-104 (b)(3) is amended by deleting the word "parent" and by substituting instead the words "parent, or there is no surviving issue or qualified parent pursuant to the provisions of subdivision (b)(2)(B).".

Rep. Bivens moved that House Bill No. 1584 be reset to the Calendar for Wednesday, April 4, 1990, which motion prevailed.

House Bill No. 2321 -- Telecommunications -- Requires owner of certain public telephone service to pay annual inspection fee. Amends TCA 65-4-301.

On motion, House Bill No. 2321 was made to conform with Senate Bill No. 2122.

On motion, Senate Bill No. 2122, on same subject, was substituted for House Bill No. 2321.

Rep. Kisber moved that Senate Bill No. 2122 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	90
Noes.....	7

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Halteman, Harrill, Hassell, Head, Henry (Putnam), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 90.

Representatives voting no were: Coffey, Gunnels, Haun, Henry (Roane), Moore (Shelby), Rhinehart, Whitson -- 7.

A motion to reconsider was tabled.

#### REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from no to aye on Senate Bill No. 2122 and have this statement entered in the Journal.

Rep. Zane Whitson

#### REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from no to aye on Senate Bill No. 2122 and have this statement entered in the Journal.

Rep. Douglas Gunnels

#### REGULAR CALENDAR, CONTINUED

House Bill No. 2322 -- Telecommunications -- Regulates operator assisted services; establishes penalties for violations. Amends TCA 47-18-104; Title 65, Ch. 5, Pt. 2.

On motion, House Bill No. 2322 was made to conform with Senate Bill No. 2121.

On motion, Senate Bill No. 2121, on same subject, was substituted for House Bill No. 2322.

Rep. Kisber moved that Senate Bill No. 2121 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	96
Noes. . . . .	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Sipes, Stallings,

Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

House Bill No. 1195 -- Contractors -- Revises terms of homebuilder exemption in Contractors Licensing Act. Amends TCA, Title 62, Ch. 6.

On motion, House Bill No. 1195 was made to conform with Senate Bill No. 677.

On motion, Senate Bill No. 677, on same subject, was substituted for House Bill No. 1195.

Rep. Kisber moved that Senate Bill No. 677 be passed on third and final consideration.

On motion, Rep. Rhinehart withdrew Commerce Committee Amendment No. 1.

Rep. Shirley moved to amend as follows:

Amendment No. 1

Amend Senate Bill No. 677 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section \_\_\_\_\_. Tennessee Code Annotated, Section 62-6-102(1)(B), is amended by deleting subitem (ii) in its entirety.

Rep. Buck moved that Amendment No. 1 be tabled, which motion prevailed by the following vote:

Ayes. . . . .	57
Noes. . . . .	35

Representatives voting aye were: Armstrong, Austin, Bell, Bittle, Bragg, Buck, Burnett, Cain, Callicott, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DePriest, Duer, Garrett, Givens, Gunnels, Harrill, Haun, Head, Henry (Putnam), Henry (Reane), Herron, Hillis, Hobbs, Holt, Huskey, Kent, Kisber, Moody, Moore (Lawrence), Naifeh, Napier, Niceley, Nuber, Phillips, Pinion, Purcell, Rhinehart, Ridgeway, Stallings, Turner (Hamilton), Ussery, Webb, West, Wheeler, Whitson, Winningham, Wolfe, Mr. Speaker Murray -- 57.

Representatives voting no were: Anderson, Bivens, Burchfield, Byrd, Chiles, Clark, Copeland, DeBerry, Dixon, Gaia, Good, Halteman, Hassell, Holcomb, Hubbard, Jackson, Jones, R. (Shelby), Jones, U.

(Shelby), Kernell, King, McAfee, Moore (Shelby), Odom, Peroulas, Pruitt, Robinson (Hamilton), Scruggs, Severance, Shirley, Sipes, Stamps, Turner, C. (Shelby), Turner, L. (Shelby), Williams, Wood -- 35.

Rep. Rhinehart moved the previous question, which he later withdrew.

Rep. Kisber moved that Senate Bill No. 677 be reset to the next available space on the next available calendar, Monday, March 12, 1990, which motion prevailed.

**\*House Bill No. 2452 -- Financial Disclosure -- Expands scope of definition of contribution. Amends TCA, Title 2, Ch. 10.**

Rep. Kisber moved that House Bill No. 2452 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	95
Noes. . . . .	0
Present and not voting. . . . .	1

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton -- 95.

Representatives present and not voting were: Robinson (Hamilton) -- 1.

A motion to reconsider was tabled.

**House Bill No. 1999 -- Criminal Procedure -- Removes bar against prosecution for conviction or acquittal for drug offense under federal law or law of another state. Amends TCA, Title 53, Ch. 11, Pt. 4.**

Rep. Davis (Cocke) moved that House Bill No. 1999 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	94
Noes. . . . .	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Gaia, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 94.

A motion to reconsider was tabled.

House Bill No. 2196 -- Firearms and Ammunition -- Authorizes certain persons to carry weapons in performance of duties. Amends TCA 39-6-1702.

Rep. Hillis moved that House Bill No. 2196 be passed on third and final consideration.

Rep. Severance moved the previous question, which he later withdrew.

Rep. Hillis moved that House Bill No. 2196 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	86
Noes. . . . .	3
Present and not voting. . . . .	1

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Givens, Good, Halteman, Hassell, Henry (Roane), Herron, Hillis, Hobbs, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 86.

Representatives voting no were: Gunnels, Moody, Nuber -- 3.

Representatives present and not voting were: Haun -- 1.

A motion to reconsider was tabled.

**House Bill No. 1988** -- Utilities, Utility Districts -- Authorizes certain loans under utility relocation loan program. Amends TCA, Title 7, Ch. 82, Pt. 7, 67-3-617.

On motion, House Bill No. 1988 was made to conform with Senate Bill No. 1920.

On motion, **Senate Bill No. 1920**, on same subject, was substituted for House Bill No. 1988.

Rep. Duer moved that **Senate Bill No. 1920** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	95
Noes. . . . .	0
Present and not voting. . . . .	1

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

Representatives present and not voting were: Napier -- 1.

A motion to reconsider was tabled.

**House Bill No. 1984** -- Motor Vehicles -- Prohibits use of spotlights or auxiliary lights attached to rear of certain types of trucks. Amends TCA, Title 55, Ch. 9, Pt. 4.

On motion, House Bill No. 1984 was made to conform with Senate Bill No. 1912.

On motion, **Senate Bill No. 1912**, on same subject, was substituted for House Bill No. 1984.



Rep. Duer moved that Senate Bill No. 1912 be passed on third and final consideration.

On motion, Rep. Robinson (Davidson) withdrew Transportation Committee Amendment No. 1.

Rep. Duer moved that Senate Bill No. 1912 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	96
Noes. . . . .	0

Representatives voting aye were: Anderson, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

**\*House Bill No. 2337 -- Pensions and Retirement Benefits --** Authorizes elected purchasing agents and appointed registrars at large of local governments for membership in TCRS under certain circumstances. Amends TCA, Title 8, Ch. 35, Pt. 2.

Rep. McDaniel moved that House Bill No. 2337 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	95
Noes. . . . .	0
Present and not voting. . . . .	1

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson),

Robinson (Hamilton), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

Representatives present and not voting were: Bragg -- 1.

A motion to reconsider was tabled.

**House Bill No. 2400 -- Alcoholic Beverages --** Allows sale of alcoholic beverages at certain historic properties. Amends TCA, Title 57, Ch. 4.

Rep. West moved that House Bill No. 2400 be passed on third and final consideration.

Rep. Henry (Putnam) moved the previous question, which he later withdrew.

Thereupon, Rep. West moved that House Bill No. 2400 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	50
Noes. . . . .	37
Present and not voting. . . . .	3

Representatives voting aye were: Austin, Bell, Bivens, Bragg, Buck, Burnett, Cain, Callicott, Chiles, Clark, Coffey, Cole, Davidson, Davis (Cocke), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Head, Hillis, Hubbard, Huskey, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Moore (Lawrence), Naifeh, Phillips, Pruitt, Purcell, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Turner (Hamilton), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Yelton, Mr. Speaker Murray -- 50.

Representatives voting no were: Anderson, Bittle, Burchfield, Byrd, Crain, Cross, Curlee, Davis (Gibson), Givens, Good, Gunnels, Harrill, Hassell, Henry (Putnam), Henry (Roane), Herron, Hobbs, Holcomb, Holt, Jackson, McAfee, McDaniel, Moody, Moore (Shelby), Niceley, Nuber, Peroulas, Pinion, Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Turner, C. (Shelby), Wolfe, Wood -- 37.

Representatives present and not voting were: Halteman, Haun, Napier -- 3.

A motion to reconsider was tabled.

#### REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from not voting to no on House

Bill No. 2400 and have this statement entered in the Journal.

Rep. John Bragg

REGULAR CALENDAR, CONTINUED

\*House Bill No. 1750 -- Libraries -- Expands number of board of directors allowed for local library system. Amends TCA 10-3-103.

Rep. Scruggs moved that House Bill No. 1750 be passed on third and final consideration.

Rep. Love moved adoption of State and Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

Amend House Bill No. 1750 by adding the following as new sections immediately preceding the effective date section and by redesignating the effective date section accordingly:

Section \_\_\_\_ Tennessee Code Annotated, Section 10-3-103(a) is further amended in the third sentence by deleting the language "and two (2) for three (3) years, and their successors for a term of three (3) years." and by substituting instead the following language:

two (2) for three (3) years, and if the board is expanded to more than seven (7) members as authorized in this subsection, those members shall be appointed for and serve a term of three (3) years. Their successors shall serve for a term of three (3) years.

Section \_\_\_\_ Tennessee Code Annotated, Section 10-3-103(a) is further amended in the last sentence of the subsection by inserting the following language between the word "members" and the word "shall":

on a board of seven (7) members, six (6) of the members on a board of eight (8) members; or seven (7) of the members on a board of nine (9) members

Section \_\_\_\_ The provisions of this act shall only apply in counties having a population of not less than three hundred nineteen thousand six hundred twenty-five (319,625) nor more than three hundred nineteen thousand seven hundred twenty-five (319,725) according to the 1980 federal census or any subsequent federal census.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Scruggs moved that House Bill No. 1750, as amended, be passed on third and final consideration, which motion

prevailed by the following vote:

Ayes. . . . .	96
Noes. . . . .	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

\*House Bill No. 2568 -- Highway Signs -- Designates certain state highway "The Historic Avery Trace".

On motion, House Bill No. 2568 was made to conform with Senate Bill No. 2596.

On motion, Senate Bill No. 2596, on same subject, was substituted for House Bill No. 2568.

Rep. Winningham moved that Senate Bill No. 2596 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	97
Noes. . . . .	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L.

(Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

**\*House Bill No. 1604 -- State Employees --** Authorizes surviving spouse of state employee killed in line of duty to continue state insurance coverage under certain circumstances. Amends TCA, Title 8, Ch. 27.

Rep. Robinson (Davidson) moved that House Bill No. 1604 be passed on third and final consideration.

Rep. Rhinehart moved adoption of Council on Pensions and Insurance Committee Amendment No. 1 as follows:

**Amendment No. 1**

Amend House Bill No. 1604 by deleting Section 1 in its entirety and by substituting instead the following:

**SECTION 1.** Tennessee Code Annotated, Title 8, Chapter 27, Part 2 is amended by adding the following as a new, appropriately designated section:

**Section \_\_\_\_.**

(a) The surviving spouse of a state employee killed in the performance of duty may continue to participate in the group health insurance plan for state employees. The coverage may include the surviving spouse and any dependent children; such children shall be subject to the same eligibility provisions applicable to active employees and their children.

(b) The surviving spouse's cost and dependents children's cost of the coverage provided in this section shall be equal to the amount paid by active employees for their coverage. The agency employing the employee at or immediately preceding the employee's death shall pay the employer portion of the premium.

(c) For purposes of this section, determination of whether a state employee was killed in the performance of duty shall be made pursuant to Tennessee Code Annotated, Title 9, Chapter 8.

(d) In the event that the surviving spouse has or becomes eligible for insurance coverage through a subsequent marriage or employment, the extension of coverage required in this section shall be terminated on the first day of the following month, provided, however, that the State Insurance Committee may establish specific

conditions for extensions in instances where preexisting conditions may apply during said transfer of coverage.

(e) In the event that insurance coverage under the State Plan is terminated for the surviving spouse pursuant to subsection (d) but the surviving spouse is unable to secure, through the new coverage, insurance coverage for the eligible dependent children, such children may continue coverage under the provisions of this section, provided that they continue to meet all dependent eligibility requirements.

On motion, Amendment No. 1 was adopted.

On motion, Rep. Love withdrew State and Local Government Committee Amendment No. 1.

Thereupon, Rep. Robinson (Davidson) moved that House Bill No. 1604, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . . 96  
Noes. . . . . 0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Duer, Gaia, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

House Bill No. 2050 -- Laundries -- Revises procedures for creation of possessory lien and disposal of unclaimed articles. Amends TCA 66-16-107. Repeals TCA 66-16-101--106.

Rep. Pinion moved that House Bill No. 2050 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . . 95  
Noes. . . . . 0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Hamilton), Scruggs, Severance, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

A motion to reconsider was tabled.

House Bill No. 2558 -- Highways, Roads and Bridges -- Restricts experience requirements for road superintendents to highway construction or maintenance experience. Amends TCA 54-7-104.

Rep. Robinson (Davidson) moved that House Bill No. 2558 be passed on third and final consideration.

Rep. DePriest moved the previous question. Rep. Williams objected to the previous question; whereupon, Rep. DePriest withdrew his motion.

Rep. Robinson (Davidson) moved that House Bill No. 2558 be passed on third and final consideration.

Rep. Williams moved to amend as follows:

Amendment No. 1

Amend House Bill No. 2558 by deleting the amendatory language of Section 1 and by substituting instead the following:

a related field and/or

On motion, Amendment No. 1 was adopted.

Rep. DePriest moved the previous question, which motion prevailed.

Thereupon, Rep. Robinson (Davidson) moved that House Bill No. 2558, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	86
Noes. . . . .	8
Present and not voting. . . . .	3

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Good, Gunnels, Halteman, Harrill, Hassell, Head, Henry (Putnam), Henry (Roane), Hillis, Hobbs, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Naifeh, Napier, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wood, Yelton, Mr. Speaker Murray -- 86.

Representatives voting no were: Buck, Cross, Curlee, Givens, Herron, Niceley, Winningham, Wolfe -- 8.

Representatives present and not voting were: Haun, Holcomb, Moore (Shelby) -- 3.

A motion to reconsider was tabled.

#### REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from aye to no on House Bill No. 2558 and have this statement entered in the Journal.

Rep. Floyd Crain

#### CONSENT CALENDAR

House Bill No. 1740 -- Real Property -- Enacts Tennessee Time Share Resale Broker Act of 1990. Amends TCA, Title 66, Ch. 32.

On motion, House Bill No. 1740 was made to conform to Senate Bill No. 1893.

On motion, Senate Bill No. 1893, on same subject, was substituted for House Bill No. 1740.

House Joint Resolution No. 0675 -- Memorials, Professional Achievement -- Honors U.S. Bankruptcy Judge Bernice Donald.

House Joint Resolution No. 0676 -- Memorials, Personal Occasion -- Celebrates marriage of Melissa Braden and Phillip Shockley.

House Bill No. 2241 -- Scott County -- Prohibits medical waste incinerators.



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**House Bill No. 2242 -- Oneida --** Provides compensation of mayor and aldermen be set by board of mayor and aldermen. Amends Chapter 211, Private Acts of 1917, as amended.

**House Bill No. 2523 -- Bond Issues --** Authorizes bond issue for Oneida special school district.

**House Bill No. 2601 -- Franklin --** Revises charter relative to election of aldermen. Amends Chapter 79, Acts of 1903, as amended.

**House Bill No. 2602 -- Eagleville --** Revises charter. Amends Chapter 77, Private Acts of 1977, as amended.

**House Bill No. 2604 -- Kingsport --** Revises charter relative to filling vacancies on board of education. Amends Chapter 76, Private Acts of 1917, as amended.

**Senate Joint Resolution No. 0486 -- Memorials, Recognition --** Commends Dayton City School for academic leadership and excellence.

**Senate Joint Resolution No. 0494 -- Memorials, Condolence --** Honors memory of Virgie Rouse Snodgrass.

**Senate Joint Resolution No. 0495 -- Memorials, Congratulations --** Congratulates Greater Kingsport Area Chamber of Commerce on success of 10th Annual Fun Fest.

**Senate Joint Resolution No. 0496 -- Memorials, Recognition --** Recognizes airborne forces of U.S. Army on 50th anniversary.

**Senate Joint Resolution No. 0497 -- Memorials, Recognition --** Honors Cathy DeCaterina, executive director of Theatre Bristol.

**Senate Joint Resolution No. 0498 -- Memorials, Professional Achievement --** Honors David Lee Miller, Investigator of the Year.

**Senate Joint Resolution No. 0503 -- Memorials, Personal Achievement --** Honors Carroll Barrett for achieving the rank of Eagle Scout.

**Senate Joint Resolution No. 0504 -- Memorials, Sports --** Congratulates McCallie School wrestling team, TSSAA state wrestling champions.

**OBJECTION -- CONSENT CALENDAR**

Objection(s) was/were filed to the following on the Consent Calendar:

**House Bill No. 2241** was objected to by Rep. Winningham.

House Bill No. 2242 was objected to by Rep. Winningham.

House Bill No. 2523 was objected to by Rep. Winningham.

Under the rules, House Bill(s) No(s). 2241, 2242 and 2523 was/were placed at the foot of the calendar for Thursday, March 8, 1990.

Pursuant to Rule No. 50, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, that all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes. . . . .	97
Noes. . . . .	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

#### UNFINISHED BUSINESS

#### EXPLANATION OF VOTE

To avoid even the appearance of a conflict of interest, I have voted "roll call" on Senate Bill No. 2148.

I have not and will not support or oppose any banking legislation which if passed or defeated, would even inadvertently benefit me personally.

Rep. Dan Byrd

**BILL RETURN REQUESTED**

Pursuant to Rule No. 54, Rep. Rhinehart moved that the Clerk request the return of Senate Bill No. 2148 from the Senate, which motion prevailed.

**BILL REFERRED**

Rep. Head moved that House Bill No. 2506 be recalled from the General Welfare Committee and referred to the Finance, Ways and Means Committee, which motion prevailed.

**RULES SUSPENDED**

Rep. Clark moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 679 out of order, which motion prevailed.

House Joint Resolution No. 0679 -- Memorials, Sympathy -- Salutes James T. "Jimmy" George and wishes him a speedy recovery. by \*Clark.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Clark, with the request that all members voting aye be added as sponsors, the resolution was adopted by the following vote:

Ayes. . . . .	96
Noes. . . . .	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

HOUSE BILL WITHDRAWN

On motion of Rep. Bragg, House Bill No. 1685 was recalled from the Judiciary Committee.

On motion of Rep. Bragg, House Bill No. 1685 was withdrawn from the House.

BILL REFERRED

Rep. Stallings moved that House Bill No. 2387 be recalled from the General Welfare Committee and referred to the Finance, Ways and Means Committee, which motion prevailed.

RULES SUSPENDED

Rep. Armstrong moved that the rules be suspended for the purpose of recalling Senate Joint Resolution No. 499 from the State and Local Government Committee for immediate consideration, which motion prevailed.

Senate Joint Resolution No. 0499 -- General Assembly, Joint Conventions -- Requests special joint convention to honor Coach Johnny Majors and UT football team.

On motion of Rep. Armstrong, the resolution was concurred in by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chilea, Clark, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Nicesley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

**SPONSORS ADDED**

Without objection, the rules were suspended to allow the following members to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Joint Resolution No. 620:** Rep(s). Davis R., and Ridgeway added as prime sponsor(s).

**House Joint Resolution No. 675:** Rep(s). Herron and Kernell added as prime sponsor(s).

**House Bill No. 559:** Rep(s). Burchfield added as prime sponsor(s).

**House Bill No. 1727:** Rep(s). Williams added as prime sponsor(s).

**House Bill No. 1759:** Rep(s). Naifeh added as prime sponsor(s).

**House Bill No. 1818:** Rep(s). Dixon added as prime sponsor(s).

**House Bill No. 1955:** Rep(s). Purcell added as prime sponsor(s).

**House Bill No. 2129:** Rep(s). McDaniel added as prime sponsor(s).

**House Bill No. 2217:** Rep(s). West added as prime sponsor(s).

**House Bill No. 2221:** Rep(s). Hobbs, Jackson and West added as prime sponsor(s).

**House Bill No. 2223:** Rep(s). Davis, R., Jackson and West added as prime sponsor(s).

**House Bill No. 2360:** Rep(s). Bivens, Crain, Collier, Pinion and Whitson added as prime sponsor(s).

**House Bill No. 2452:** Rep(s). Jackson added as prime sponsor(s).

**House Bill No. 2541:** Rep(s). Dixon added as prime sponsor(s).

**House Bill No. 2545:** Rep(s). Dixon added as prime sponsor(s).

**House Bill No. 2609:** Rep(s). Hobbs added as prime sponsor(s).

**SPONSORS REMOVED**

On motion, Rep. Peroulas was removed as sponsor of **House Bill No. 1942**.

**INTRODUCTION OF RESOLUTIONS**

**House Resolution No. 0118 -- Memorials, Sports -- Honors Coach**

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Cheryl Hudgins and the Coopertown Eagles girls' basketball team.  
by \*Davidson.

The Speaker referred House Resolution No. 118 to the Calendar and Rules Committee.

**\*House Joint Resolution No. 0672 --** Memorials, Government Officials -- Encourages continued participation in federal surplus properties program. by \*Whitson, \*Cole.

The Speaker referred House Joint Resolution No. 672 to the State and Local Government Committee.

**\*House Joint Resolution No. 0673 --** General Assembly, Statement of Intent or Position -- States opposition to giving larger share of state highway funds to cities for road and bridge maintenance. by \*Whitson, \*Cole.

The Speaker referred House Joint Resolution No. 673 to the Transportation Committee.

**House Joint Resolution No. 0680 --** Memorials, Condolence -- Honors memory of George Washington Wilson. by \*Whitson.

The Speaker referred House Joint Resolution No. 680 to the Calendar and Rules Committee.

**House Joint Resolution No. 0682 --** Memorials, Public Service -- Honors Linda K. Miller for contributions to state of Tennessee. by \*Kent.

The Speaker referred House Joint Resolution No. 682 to the Calendar and Rules Committee.

**House Joint Resolution No. 0683 --** Memorials, Congratulations -- Congratulates Christian Brownlee Currey for outstanding equestrian jumping skills. by \*Callicott.

The Speaker referred House Joint Resolution No. 683 to the Calendar and Rules Committee.

**House Joint Resolution No. 0684 --** Memorials, Public Service -- Honors Bob Broome for service as Knox County Trustee. by \*Scruggs, \*Armstrong, \*Severance, \*Davis J K, \*Peroulas, \*Bittle, \*Burchfield.

The Speaker referred House Joint Resolution No. 684 to the Calendar and Rules Committee.

#### **SENATE JOINT RESOLUTIONS (Congratulatory and Memorializing)**

**Senate Joint Resolution No. 0506 --** Memorials, Sports -- Congratulates Soddy-Daisy High School wrestlers, second place winners in State Wrestling Tournament.

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The Speaker referred Senate Joint Resolution No. 506 to the Calendar and Rules Committee.

#### RESOLUTIONS LYING OVER

\*Senate Joint Resolution No. 0466 -- Memorials, Congress -- Urges granting of relief to school systems from testing requirements in Commercial Driver's License Act of 1986.

The Speaker referred Senate Joint Resolution No. 466 to the Transportation Committee.

\*Senate Joint Resolution No. 0471 -- General Assembly, Studies -- Establishes special select committee to study integrated computer system for courts.

The Speaker referred Senate Joint Resolution No. 471 to the Judiciary Committee.

#### INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration.

House Bill No. 2610 -- Alamo -- Increases terms of office of mayor and aldermen. Amends Chapter 557, Private Acts of 1911, as amended. by \*Holt.

Passed first consideration.

House Bill No. 2611 -- McNairy County -- Places county purchasing under general law; removes obsolete provision relative to county highway department. Amends Chapter 865, Private Acts of 1937, as amended. by \*Wolfe.

Passed first consideration.

House Bill No. 2612 -- Game and Fish Laws -- Regulates trapping foxes in certain counties. Amends TCA, Title 70, Ch. 4, Pt. 2. by \*Webb.

Passed first consideration.

House Bill No. 2613 -- County Officers -- Allows Warren County register of deeds to utilize marginal notation on mortgage, deed or other instruments. Amends TCA 66-5-108; Title 66, Ch. 21, Pt. 1; Title 66, Ch. 25, Pt. 1. by \*Hillis, \*Rhinehart.

Passed first consideration.

House Bill No. 2614 -- Madison County -- Revises purchasing procedures. Amends Chapter 102, Private Acts of 1947, as amended. by \*Kisber, \*Sipes.

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Passed first consideration.

House Bill No. 2615 -- Altamont -- Increases number of aldermen; provides for compensation of same. Amends Chapter 664, Private Acts of 1917. by \*Rhinehart, \*Curlee.

Passed first consideration.

\*House Bill No. 2616 -- Utilities, Utility Districts -- Provides for popular election of commissioners for certain water utility districts in Carter County. Amends TCA, Title 7. by \*Whitson, \*Cole.

Passed first consideration.

#### SENATE BILLS ON FIRST CONSIDERATION

On motion, the Senate Bills listed below, transmitted to the House were held on the Clerk's desk as noted.

Senate Bill No. 0957 -- Real Property -- Enacts Uniform Conservation Easement Law. Amends TCA, Title 66, Ch. 9.

Held on the Clerk's desk pending third consideration of companion \*House Bill No. 174.

\*Senate Bill No. 1604 -- Correctional Programs -- Authorizes division of community services to supervise offender who completes special alternative incarceration program. Amends TCA, Title 40, Ch. 20.

Held on the Clerk's desk pending third consideration of companion House Bill No. 1587.

\*Senate Bill No. 1651 -- Courts, Juvenile -- Authorizes juvenile court to appoint special advocate for children before the court. Amends TCA 37-1-149.

Held on the Clerk's desk pending third consideration of companion House Bill No. 2146.

Senate Bill No. 1801 -- Criminal Offenses -- Revises provisions relative to unlawful disposal of rental property. Amends TCA 39-14-108.

Held on the Clerk's desk pending third consideration of companion \*House Bill No. 1639.

\*Senate Bill No. 1927 -- District Attorneys -- Removes certain personnel and support limitation from the district attorney general of 31st judicial district.

Held on the Clerk's desk pending third consideration of companion House Bill No. 2113.



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**\*Senate Bill No. 1949 -- Witnesses --** Revises rate of witness compensation. Amends TCA 24-4-101.

Held on the Clerk's desk pending third consideration of companion House Bill No. 2089.

**\*Senate Bill No. 1956 -- Handicapped Persons --** Exempts blind vendors from food service permit fee. Amends TCA 68-14-313.

Held on the Clerk's desk pending third consideration of companion House Bill No. 1929.

**\*Senate Bill No. 2031 -- Housing --** Creates division of housing and emergency shelter.

Held on the Clerk's desk pending third consideration of companion House Bill No. 2035.

**\*Senate Bill No. 2073 -- Tennessee Higher Education Commission --** Requires at least one member of higher education commission be member of principal racial minority in the state. Amends TCA, Titles 49, 67.

Held on the Clerk's desk pending third consideration of companion House Bill No. 2454.

**Senate Bill No. 2104 -- Highway Signs --** Provides for signs indicating Cookeville exits.

Held on the Clerk's desk pending third consideration of companion \*House Bill No. 1811.

**Senate Bill No. 2109 -- Education --** Permits criteria to withhold student records until certain debts are paid. Amends TCA 49-1-302.

Held on the Clerk's desk pending third consideration of companion \*House Bill No. 1808.

**Senate Bill No. 2112 -- Highways, Roads and Bridges --** Deletes provision exempting certain counties from qualifications of chief administrative officer. Amends TCA 54-7-104.

Held on the Clerk's desk pending third consideration of companion \*House Bill No. 1741.

**\*Senate Bill No. 2115 -- Motor Vehicles --** Regulates turn lanes. Amends TCA, Title 55, Ch. 8, Pt. 1.

Held on the Clerk's desk pending third consideration of companion House Bill No. 2253.

**\*Senate Bill No. 2234 -- Podiatrists --** Increases requirements for licensing of podiatrists; imposes examination fee. Amends TCA 63-3-109, 111.

**WEDNESDAY, MARCH 7, 1990 -- SEVENTY-FOURTH LEGISLATIVE DAY**

Held on the Clerk's desk pending third consideration of companion House Bill No. 2184.

**\*Senate Bill No. 2353 -- Social Workers --** Establishes continuing education requirements for master social workers and independent social work practitioners; modifies certain duties of confidentiality. Amends TCA, Title 63, Ch. 23, Pt. 1.

Held on the Clerk's desk pending third consideration of companion House Bill No. 2216.

**\*Senate Bill No. 2368 -- Criminal Offenses --** Makes it unlawful for person to fail to appear as directed by lawful authority under certain circumstances. Amends TCA 39-16-609.

Held on the Clerk's desk pending third consideration of companion House Bill No. 2299.

**\*Senate Bill No. 2428 -- District Attorneys --** Authorizes compensation of criminal investigator as assistant district attorney general under certain circumstances. Amends TCA, Title 8, Ch. 7, Pt. 2.

Held on the Clerk's desk pending third consideration of companion House Bill No. 2373.

**Senate Bill No. 2445 -- Marriage --** Requires applicant for license under 18 to state if similar application made to another county clerk or deputy. Amends TCA, Title 36, Ch. 3, Pt. 1.

Held on the Clerk's desk pending third consideration of companion \*House Bill No. 2338.

**Senate Bill No. 2494 -- Tort Liability --** Imposes civil and criminal sanctions for theft of certain utility service.

Held on the Clerk's desk pending third consideration of companion \*House Bill No. 2530.

#### **HOUSE BILLS ON SECOND CONSIDERATION**

On motion, bills listed below passed second consideration and were referred to committee or held on the Clerk's desk as noted.

**House Bill No. 2605 -- Madisonville --** Passed second consideration and held on Clerk's desk pending approval by local delegation.

**House Bill No. 2606 -- Campbell County --** Passed second consideration and held on Clerk's desk pending approval by local delegation.

**House Bill No. 2607 -- Slayden --** Passed second consideration and held on Clerk's desk pending approval by local delegation.

WEDNESDAY, MARCH 7, 1990 -- SEVENTY-FOURTH LEGISLATIVE DAY

\*House Bill No. 2608 -- Taxes, Real Property -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 2609 -- Rutherford County -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

#### DELAYED BILLS REFERRED

Pursuant to Rule No. 78, House Bill(s) No(s). 2608, was/were referred to the Delayed Bills Committee.

#### LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES

March 7, 1990

In accordance with Rule No. 48, the following local bill(s), having received authorization for passage by the local legislative delegation, was/were transmitted to the Calendar and Rules Committee: House Bill(s) No(s). 2605, 2606, 2607 and 2609.

#### REPORT OF COMMITTEE ON CALENDAR AND RULES

##### CONSENT CALENDAR

March 7, 1990

MR. SPEAKER: The officers of your Calendar and Rules Committee beg leave to report that we have set the following bill(s) and/or resolution(s) on the Consent Calendar for Thursday, March 8, 1990: House Resolution(s) No(s). 118; House Joint Resolution(s) No(s). 680, 682, 683 and 684; House Bill(s) No(s). 2605, 2606, 2607 and 2609; also, Senate Joint Resolution(s) No(s). 506.

PHILLIPS, Chairman.

#### ENGROSSED BILLS

March 7, 1990

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 2223 and 2310; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

#### ENGROSSED BILLS

March 7, 1990

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 1999, 2196 and

2452; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

ENGROSSED BILLS  
March 7, 1990

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 1604, 1750, 2050, 2400, 2558, 2601, 2602 and 2604; also, House Joint Resolution(s) No(s). 675, 676 and 679; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

ROLL CALL

The roll call was taken with the following results:

Present . . . . . 97

Representatives present were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Haltzman, Harrill, Hassell, Haun, Head, Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

On motion of Rep. Naifeh, the House adjourned until 9:30, Thursday, March 8, 1990.